Attorney Docket No. 980765D3/LH

# RECEIVED CENTRAL FAX CENTER

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 2 9 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

Applicant(s): Y. MIDORIKAWA et al.

**TOTAL PAGES: 2** 

TO NO. 1-703-872-9306

Serial No. : 10/722,943

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, on the date noted below.

Filed : NOVEMBER 25, 2003

For AUTOMOTIVE PASSENGER RESTRAINT AND

PROTECTION APPARATUS

Art Unit 3618 :

Dated: November 29, 2004

: BOTTORFF, CHRISTOPHER Examiner

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

Customer No.: 01933

### RESPONSE- 37 CFR 1.111

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# SIR:

This is responsive to the Office Action mailed October 29, 2004.

#### ELECTION

Applicants hereby elect Species II (Figs. 44-48), for further prosecution on the merits, without traverse.

## CLAIMS READABLE ON ELECTED SPECIES

The claims readable on elected Species II are claims 2-17.

Applicants have informed the undersigned that the original inventorship is still correct for the elected subject matter.

A Divisional Application will be filed in due course for the subject matter of the non-elected species.

It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth above.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

November 29, 2004

Leonard Holtz, Esq. Reg. No. 22/974

Frishauf, Holtz, Goodman & Chick, P.C. 767 Third Avenue - 25th Floor New York, New York 10017-2023 Tel. No. (212) 319-4900 Fax No. (212) 319-5101 LH/nps